

Village of Weston, Wisconsin
OFFICIAL PROCEEDINGS OF THE PLAN COMMISSION
held on Monday, January 11, 2016 at 6:00 p.m., in the Board Room, at the Municipal Center
Chairman White Presiding.

A. OPENING OF SESSION AT 6:00 P.M.

1. Plan Commission meeting called to order PC Chairman White.

2. Clerk will take attendance and roll call.

Roll call indicated 7 Plan Commission members present.

<u>Member</u>	<u>Present</u>
Diesen, Dave	YES
Johnson, Marty	YES
Kollmansberger, Tina	YES
Schuster, Fred	YES
Stenstrom, Mike	YES
White, Loren	YES
Zeyghami, Hooshang	YES

Village Staff in attendance: Higgins, Donner, Wehner, and Parker. There were also 5 people in the audience.

3. Requests for Silencing of cellphones and other electronic devices.

B. NEW BUSINESS

4. Public Hearing before Plan Commission CU-12-15-1560 Travis Novotny, of Statewide Development, Inc., requesting a Conditional Use Permit, on property addressed as 5302 Schofield Avenue (PIN 192-2808-164-0977), to allow for uses such as Indoor Storage or Wholesaling within the B-3 (General Business) Zoning District.

White opened the public hearing at 6:01 p.m.

Ark Rhowmine, Commercial Real Estate Advisor, of Newmark Grubb Pfefferle, 200 Washington Street, Ste. 100, Wausau, was present in support, representing Statewide Development, Inc., as well as Red Bull Distribution Company.

Stenstrom questioned if there will be any outdoor storage. Rhowmine explained there will be no outside storage, that even the business vehicles will be stored inside the building.

No one spoke in opposition.

White closed the hearing at 6:02 p.m.

5. Discussion and Action by Plan Commission on Director's recommendation to approve the Conditional Use Request CU-12-15-1560, per the specifications, conditions, and limitations of the submitted staff report.

Stenstrom questioned the staff recommendation, where it states "*Outdoor storage shall only occur at a 30-day temporary basis and shall be screened from the view of the right-of-way and neighboring parcels;*". Stenstrom feels this should be stricken from the approval, since no outdoor storage is planned.

White questioned about the restoration of the greenspace. It was stated it just became an area vehicles drove on, that will be restored to greenspace.

Motion by Stenstrom, second by Schuster to approve the Conditional Use Permit request (CU-12-15-1560), per the specifications, conditions, and limitations of the submitted staff report, along with striking the outdoor storage statement as discussed.

Yes Vote: 7

No Votes: 0

Abstain: 0

Not Voting: 0

Result: PASS

<u>Member</u>	<u>Voting</u>
Diesen, Dave	YES
Johnson, Marty	YES
Kollmansberger, Tina	YES
Schuster, Fred	YES
Stenstrom, Mike	YES
White, Loren	YES
Zeyghami, Hooshang	YES

6. Public hearing before Plan Commission REZN-12-15-1558 Mark Thompson, MTS, LLC, for Katie Ripp, requesting a rezoning from SF-S (Single-Family Residential – Small Lot) to B-3 (General Business), with D-CC (Commercial Corridor Overlay), on vacant land being split from 5410 Pine Park Street and proposed to be attached to 5403 Normandy Street for the purpose of an expanded parking lot.

Katie Ripp, 5410 Pine Park Street, Weston, was present in the audience.

Pat Vanderwerf, MTS, LLC, 404 Franklin Street, Wausau, was present representing Katie Ripp and Family Foot & Ankle Clinic. He explained how the Family Foot & Ankle business is doing well, where they are in need of expanding their parking lot for all the customers and additional doctors.

Stenstrom questioned the topography of the land they propose to be a parking lot, as far as drainage is concerned, that this area typically is flooded in the spring. Higgins explained we are aware of the flooding issues in this area, and how Michael Wodalski, Deputy Public Works Director, has worked closely with MTS to plan the parking lot out so that it would not negatively impact the surrounding properties with flooding. She explained how the way the plans will work, these will not make the site any better for drainage, but it will not make the site any worse for drainage either. Higgins pointed out how the plans have been modified, per Wodalski's recommendation to aid in this, where two parking spaces were removed to make more room for drainage.

Russ Forbess, 5417 Pine Park Street, was present with questions and concerns. It was clarified to Forbess that only the western 85 feet of Ripp's property will become the additional parking lot for Family Foot & Ankle – not her entire lot. Higgins also explained how all of Ripp's buildings will remain as they are. Higgins explained how this parking lot will be entered through the existing parking lot, only using the existing access drives (no new driveways being constructed). It was explained the grading will be set so that the drainage drains to Normandy Street. It was also explained to Forbess that there will be a 6-foot tall wooden privacy fence constructed around the east and south sides of this parking lot, along with landscaping. Forbess was concerned about the erosion. White explained there will be silt fence and landscaping to control that.

Parker explained the e-mail correspondence (attached) she had with Kat Savyannah, who was e-mailing on behalf of her mother, Nora Shulta, of 5416 Pine Park Street, whose property is just south of Ripp's.

No one spoke in opposition.

White closed the hearing at 6:25 p.m.

7. Discussion and Action by Plan Commission on Director's recommendation to approve the Rezone Request (REZN-12-15-1558), per the specifications, conditions, and limitations of the submitted staff report, and forward to the Board of Trustees for their consideration and approval.

Motion by Schuster, second by Kollmansberger to approve the Rezone Request (REZN-12-15-1558), per the specifications, conditions and limitation of the submitted staff report, and forward to the Board of Trustees for their consideration and approval. Q: Diesen requested that it be noted for the record that he has concerns about potential storm water issues. Motion carried.

Yes Vote: 7

No Votes: 0

Abstain: 0

Not Voting: 0

Result: PASS

<u>Member</u>	<u>Voting</u>
Diesen, Dave	YES
Johnson, Marty	YES
Kollmansberger, Tina	YES
Schuster, Fred	YES
Stenstrom, Mike	YES
White, Loren	YES
Zeyghami, Hooshang	YES

8. Discussion and Action by Plan Commission on Director's recommendation to approve Commercial Site Plan CSIT-12-15-1558 (MTS/Family Foot & Ankle), Parking Lot Expansion, at 5403 Normandy Street, per the specifications, conditions, and limitations of the submitted staff report.

Wehner commented on the reduced parking spaces for the drainage. The site plan meets zoning code; however, staff is requesting an updated lighting plan to show the actual lighting fixtures on the lot. He said the lighting plan currently only shows the photometrics. Forbess expressed concern about the lighting from this parking lot potentially shining onto his property. Higgins assured him the lighting should not be a problem as the lights will be down lit. She said that yard lights from the residential properties will be more intrusive than this.

Motion by Diesen, second by Zeyghami to approve the Commercial Site CSIT-12-15-1558 (MTS/Family Foot & Ankle), Parking Lot Expansion, at 5403 Normandy Street, per the specifications, conditions and limitation of the submitted staff report. Q: Diesen requested that it be noted for the record that he has concerns about potential storm water issues. Motion carried.

Yes Vote: 7

No Votes: 0

Abstain: 0

Not Voting: 0

Result: PASS

<u>Member</u>	<u>Voting</u>
Diesen, Dave	YES
Johnson, Marty	YES
Kollmansberger, Tina	YES
Schuster, Fred	YES
Stenstrom, Mike	YES
White, Loren	YES
Zeyghami, Hooshang	YES

C. PUBLIC COMMENT

9. Comments from the public on issues, which the Plan Commission has oversight or on business items that might be recommended to the Board of Trustees.

There were no comments from the public.

D. CONSENT ITEMS – PLAN COMMISSION

10. Approve previous meeting(s) minutes from the Plan Commission December 14, 2015, regular meeting.

Motion by Schuster, second by Stenstrom to approve the December 14, 2015, PC meeting minutes.

Yes Vote: 7

No Votes: 0

Abstain: 0

Not Voting: 0

Result: PASS

<u>Member</u>	<u>Voting</u>
Diesen, Dave	YES
Johnson, Marty	YES
Kollmansberger, Tina	YES
Schuster, Fred	YES
Stenstrom, Mike	YES
White, Loren	YES
Zeyghami, Hooshang	YES

E. REPORTS FROM STAFF

11. Report from Planning and Development Director.

Higgins reported that this Wednesday staff will be meeting to go over economic development projects. She stated how Mark Roffers, MDROffers, is working on updating our TIF #1 plan. She explained how the updated copy will be brought before both Plan Commission and Community Development Authority for their review in the near future. She announced that Scott Tatro, Building Inspector, will be returning from medical leave to work on Monday, January 18th. She explained how staff is in the process of interviewing four candidates for the new Assistant Building Inspector/Code Enforcement Officer this week, with the position starting in April. She explained some of the duties this person will be performing.

Diesen questioned the status of the Randow site, on Transport Way. Higgins stated Randow had resumed the construction, but it appears he has stopped once again. She would have Tatro follow up with this next week after he returns to work.

Stenstrom questioned how many more joint meetings will be occurring (such as the last two). He stated when there are Plan Commission specific items (such as rezones, conditional uses, and site plans), how those should not be part of a joint meeting, as he feels Plan Commission is not being given the appropriate amount of time for discussion, as they are being rushed from the other committees to get on to the next topic. Kollmansberger, Johnson, and Diesen expressed their concurrence with Stenstrom's request.

F. REMARKS FROM OFFICIALS.

12. Remarks from the Plan Commission to set the next meeting date, as well as discuss items for next committee agenda – February 8, 2016, at 6:00 p.m.

G. ADJOURN.

13. Adjourn Plan Commission,

White adjourned the Plan Commission meeting at 6:41 p.m.

Loren White, Chairman

Jennifer Higgins, Director of Planning & Development

Valerie Parker, Recording Secretary

Valerie Parker

Subject: FW: REZN-12-15-1558 Property Rezoning - Public Hearing

From: Valerie Parker

Sent: Monday, January 11, 2016 2:56 PM

To: 'Kat Savannah' <katsavy@gmail.com>

Cc: 'Jennifer Higgins (jhiggins@westonwi.gov)' <jhiggins@westonwi.gov>; Jared Wehner <jwehner@westonwi.gov>; Scott Tatro <statro@westonwi.gov>; Michael Wodalski <mwodalski@westonwi.gov>

Subject: RE: REZN-12-15-1558 Property Rezoning - Public Hearing

01/11/2016

Hi Kat,

To answer your questions in the order written:

1. The owner of the residential lot (Katie Ripp) is having that western section of land (along Normandy Street) divided off from her residential lot (zoned SF-S). The section along Normandy that is being divided is planned to be combined to the Family Foot & Ankle property (zoned B-3). This is being combined solely to give them more parking areas for customers and doctors. Prior to attaching that section of land to Family Foot & Ankle's property, that section along Normandy, needs to be rezoned from SF-S to B-3 to match the Family Foot & Ankle property. It may have been clearer if we would have only marked that section to be divided, rather than the whole property.
2. Family Foot & Ankle is working with an engineer (MTS, LLC) on the their site plan design, which includes the storm water. Our Deputy Public Works Director, Michael Wodalski, who is a storm water engineer, has reviewed the plans with MTS, and through his review, there were modifications made to the site plan to reduce the original number of parking stalls to ensure there will be adequate room to allow for storm water storage. Michael informed me that there may still be storm water back-up, but that is should be at existing conditions, and not create any additional issues (it won't get better, but it will not be worse either).
3. With regard to your concerns of the potential impacts to the existing mature trees on the neighboring properties, unfortunately, anytime there is construction work on a property, there is always a risk of inadvertently affecting trees on neighboring properties, depending on how far out their roots extend. The only control there is would be that the construction work cannot occur beyond the property lines and there are setback requirements, which will keeps buildings and parking lots within a certain distance from neighboring property lines. Unfortunately, if the construction work does harm the mature trees, it would become an issue between the two property owners – the Village of Weston would not get involved. Hopefully this is a topic that Katie Ripp and the owners of Family Foot & Ankle will discuss when finalizing their plans. It sounds as though there is not an actual "retaining wall" being constructed. Though the proposed parking lot area will be approximately 2 feet above the current grades, this will be strictly from fill being added.
4. There are plans for a 6' cedar dog-eared fence to be installed around the south and eastern sides of the parking lot (similar to what is there now), along with required landscaping.

I saved a copy of the complete site plan on the following OneDrive link (<http://1drv.ms/1ndCTIB>), this includes a copy of their landscaping plan. Please take a look at these, and if you have further questions, do not hesitate to ask.

Also, if Plan Commission approves the rezone and site plan tonight, these will still need to go before the Village Board at their January 18th (6pm) meeting for final action.

Take care and stay warm!

Sincerely,

Valerie

Valerie Parker
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Planning & Development Department
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From: Kat Savyannah [mailto:katsavy@gmail.com]
Sent: Sunday, January 10, 2016 6:22 PM
To: Valerie Parker <vparker@westonwi.gov>
Cc: Jaye & Gordon Rine <jaye.rine@cummins.com>
Subject: REZN-12-15-1558 Property Rezoning - Public Hearing

Village of Weston Plan Commission

Valerie Parker, Plan Commission Secretary

5500 Schofield Avenue

Weston, WI 54476

RE: REZN-12-15-1558.

To the Plan Commission:

Thank you for the opportunity to respond to this rezoning request even though I am unable to be at this meeting personally. I live at 5416 Pine Park Street in Weston, which is next to the rezoning property at 5410 Pine Park going back to 5403 Normandy Street. I am not particularly concerned about a parking lot on the Normandy Street portion but do have a few questions and/or concerns listed below.

- * When comparing the property description and boundaries with the zoning map I see the entire lot going from Normandy to Pine Park is marked. Please clarify whether the entire stretch is being considered for the rezoning, or just the portion facing Normandy Street.
 - If the entire stretch is rezoned and paved, it likely will become an unofficial through-way for vehicle traffic, causing a number of potential concerns and hazards. Does the petitioner or Village have a plan to circumvent that?

* • * The south side of the proposed rezoned property line is geographically low and typically floods each spring. If this lot is to be used for parking, I must assume the lot will be leveled to some extent and probably held with a retaining wall.

- Will an engineer be hired to address the flooding issue before any work begins? Will the adjacent property owners be notified?
- If the flooding is not addressed, will the adjacent property owners be compensated for anticipated additional flooding of their property each spring, or for the potential loss of property value?

*• * If a retaining wall is built, the required footing could damage the root systems of the mature trees on adjacent properties. As we know, the full results of this damage could take a few years to show. Will those property owners be compensated for that potential loss?

• * Will the petitioner build and maintain a fence to visually block the parking lot from the residences abutting it?

Thank you for hearing my questions and concerns. I look forward to learning of your decisions.

Nora Shulta

This correspondence is being sent on behalf of Nora Shulta by Kathryn Savyannah.

Kat Savyannah

There are 4 sentences that lead to wisdom:

I'm sorry.

I was wrong.

I don't know.

I need help.

from "Chief Inspector Gamache" series by Louise Penny